

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**

**69A Hagood Avenue**

**Charleston, South Carolina 29403-5107**

**and**

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**Office of Environmental Quality Control**

**Water Quality Certification and Wetlands Programs Section**

**2600 Bull Street**

**Columbia, South Carolina 29201**

REGULATORY DIVISION

23 August 2002

Refer to: P/N # 2002-1N-346-C

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**GRIFFIN BROTHERS COMPANIES, INC.**  
**19109 WEST CATAWBA AVENUE, SUITE 118**  
**CORNELIUS, NORTH CAROLINA 28301**

for a permit to place fill material in waters of the United States adjacent to

**LITTLE PEE DEE RIVER**

approximately one mile north of the intersection of United States Highway 378 and South Carolina Highway 908 in Marion County, South Carolina (Latitude – 33.83549°, Longitude – 79.33568°).

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 23 SEPTEMBER 2002**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 0.88 acres of jurisdictional wetlands or other waters of the United States to construct a Construction, Demolition, and Land-Clearing Debris (C&D) Landfill. An additional 1.05 acres of non-jurisdictional freshwater wetlands will be impacted by the construction of the proposed 31.40-acre landfill cell. An additional 0.05 acres of non-jurisdictional wetlands will be impacted to relocate an existing dirt road that bisects the parent tract and the proposed landfill cell.

23 August 2002

The location of the proposed landfill cell within the 141.0-acre parent tract is limited by residential setbacks that are required for C&D Landfill sites. The landfill cell will be surrounded by stormwater ditches, and runoff will be directed into retention ponds before it is released into the adjacent jurisdictional wetlands. The landfill cell will have a finished grade of 170 feet, which is approximately 130 feet higher than the adjacent land surface. In addition, land clearing debris will be temporarily stockpiled on site, segregated, and sold for use as mulch and topsoil. Landscaped buffers will be constructed along South Carolina Highway 908 and the southern property boundary to provide a visual buffer for adjacent property owners. According to the applicant, a 5-foot tall by 40 foot-wide berm will also be constructed parallel to South Carolina Highway 908.

The applicant has proposed onsite mitigation to offset impacts associated with the development of jurisdictional wetlands on this property. The mitigation will consist of the preservation and enhancement of the remaining 6.54 acres of onsite wetlands and establishing 4.15 acres of upland buffers. The purpose of the proposed work is to construct an approximately 31-acre C&D Landfill for commercial operation on the referenced property.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.88 acres of waters of the United States upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

23 August 2002

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

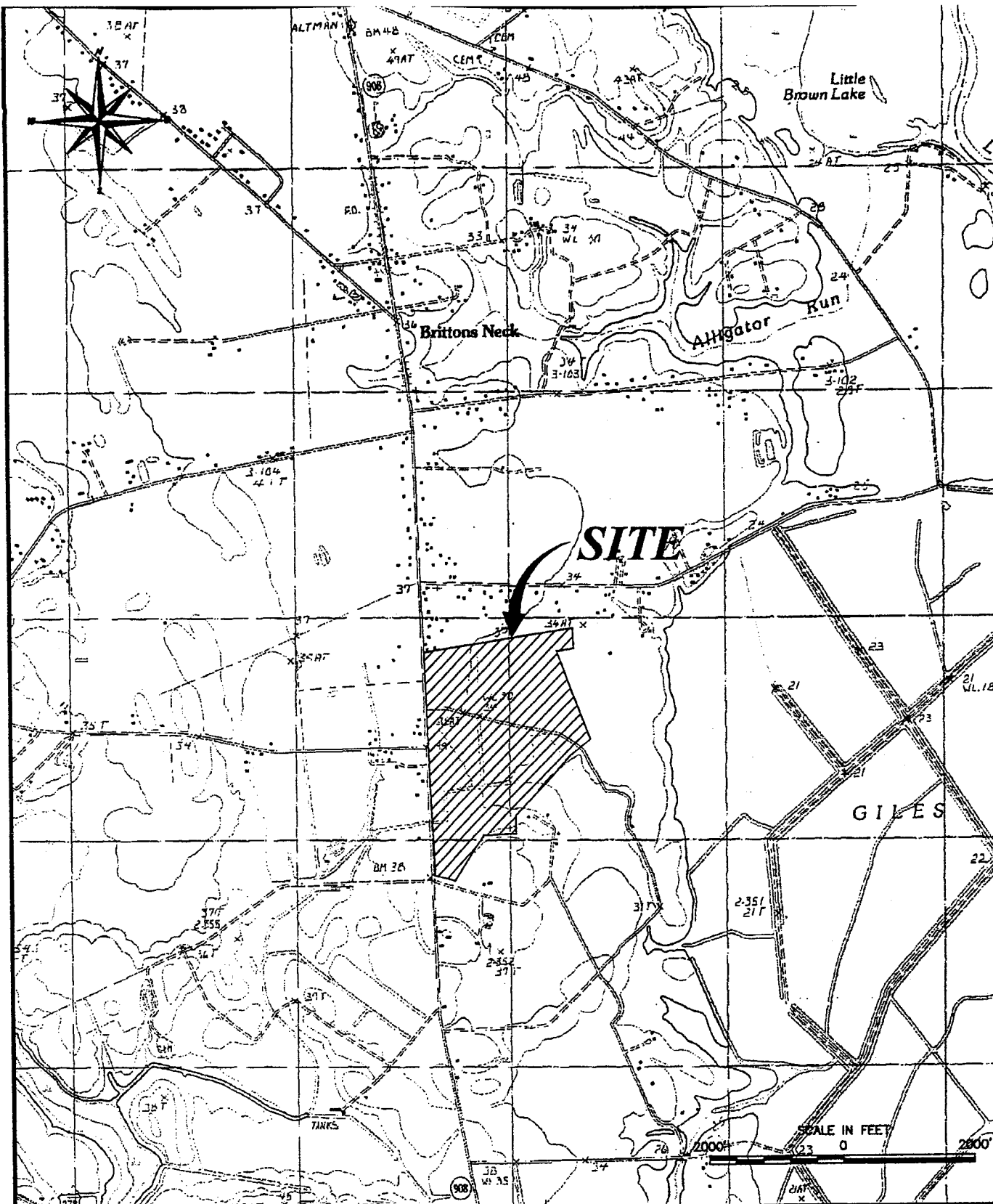
REGULATORYDIVISION  
Refer to: P/N # 2002-1N-346-C

23 August 2002

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read 'N. Ball', with a stylized flourish at the end.

Nathaniel I. Ball  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



US DEPARTMENT OF INTERIOR 7.5 MIN. QUADANGLE (BRITTONS NECK QUAD) LAT: 33°53'45" LONG: 79°20'00"

# LOCATION MAP

HWY. 908 C&D LANDFILL AND RECYCLING CENTER  
MARION COUNTY, SOUTH CAROLINA  
404 WETLAND PERMIT APPLICATION

|                    |                           |
|--------------------|---------------------------|
| PROPOSED ACTIVITY: | WETLAND FILL              |
| PURPOSE:           | WETLAND FILL              |
| LOCATION:          | MARION, SC                |
| APPLICANT:         | GRIFFIN BROTHER COMPANIES |

DATE: 5-25-2002 PAGE 1/2  
APPLICATION NO. \_\_\_\_\_

G:\DRAWING\02058\02058QUAD

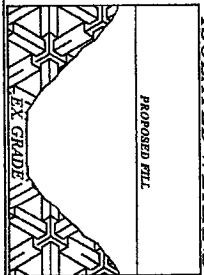
**REVISIONS:**

LAT: 33°53'40" LONG: 79°20'00"

# PLAN/SECTION VIEW

## **404 PERMIT APPLICATION**

**PAGE 2/2**



THE WETLAND DELINEATIONS USED IN PREPARING THIS WETLAND MASTER PLAN HAVE BEEN DONE IN ACCORDANCE WITH CORPS OF ENGINEERS METHODS AND TECHNIQUES AND ARE AN ACCURATE REPRESENTATION OF ALL JURISDICTIONAL WETLANDS WITHIN THE PROJECT. THE DELINEATION HAS BEEN REVIEWED AND APPROVED BY THE CORPS, AND ASSIGNED THE FOLLOWING DELINEATION NUMBER: